REMARKS/ARGUMENTS

The claims are 4-6. Claims 2 and 3, which the Examiner indicated contained allowable subject matter have been rewritten in independent form substantially as new claims 5-6. Accordingly, claims 2-3 have been canceled. In addition, claim 1 has been canceled in favor of new claim 4 to better define the invention. The specification has also been amended to correct a clerical error and to improve its form. Reconsideration is expressly requested.

As an initial matter, Applicants note that the Office Action Summary indicates that the drawings filed on May 18, 2006 were objected to by the Examiner. In a telephone conference with the Examiner on February 21, 2007, the courtesy of which is gratefully acknowledged, the Examiner confirmed that the indication that the drawings had been objected to in the Office Action Summary was in error, and that no objection to the drawings have been made.

The Examiner indicated that claims 2 and 3 contain allowable subject matter; however, claim 1 was rejected under 35 U.S.C.

103(a) as being unpatentable over *Kandler et al. U.S. Patent No. 4,302,647* in view of *Pfeifer et al. U.S. Patent No. 4,225,766*. Essentially, the Examiner's position was that *Kandler et al.* discloses the control panel recited in claim 1 except for a foil extending over the front panel, that *Pfeifer et al.* discloses this feature, and that it would have been obvious to one of ordinary skill in the art to use *Pfeifer et al.'s* foil with *Kandler's* switch.

In response, Applicants have canceled claims 2 and 3, which the Examiner indicated contain allowable subject matter, in favor of new independent claims 5 and 6, which substantially incorporate the subject matter of claims 2 and 3, respectively, and which it is respectfully submitted are now in condition for allowance. In addition, Applicants have canceled claim 1 in favor of new claim 4 to improve its form and respectfully traverse the Examiner's rejection for the following reasons.

As set forth in new claim 4, Applicants' invention provides a control panel including a front panel having an opening, a housing arranged within the opening, an annular gap formed by the housing, at least one switch having an actuating button situated

within the housing and surrounded by the annular gap, at least one light source received in the annular gap, and a light-transmitting cover including a film extending over the front panel and covering the annular gap. With the control panel recited in new claim 4, a circumferential illumination with a comparatively sharp contour is ensured for the actuating button because the entire luminosity of the light source situated in the annular gap that surrounds the actuating button is available without any scattering losses of the circumferential illumination.

The primary reference to *Kandler et al.* fails to disclose or suggest a control panel in which an annular gap is provided around an actuating button and a light source is situated in this annular gap. Although *Kandler et al.* shows two annular gaps, neither of these annular gaps provides circumferential lighting for the actuating buttons of *Kandler et al.'s* device. More specifically, *Kandler et al.* shows an annular gap having a lighting means 16, whereby this annular gap is part of the actuating button 71 or 72, respectively, and another annular gap between the walls 64 and 65 of the two actuating bottons 71 and 72. No lighting means 16 is provided in the second annular gap

between the walls 64 and 65 of the two actuating bottons 71 and 72.

Accordingly, it is respectfully submitted that *Kandler et al.* fails to disclose or suggest any circumferential lighting for actuating bottons 71 and 72. Although the actuating bottons 71 and 72 of *Kandler et al.* light up, they light up only on the inside, because a lighting means 16 is used in the center of the actuating buttons 71 and 72, in each instance. The actuating buttons 71 and 72 are by no means surrounded by a lighted annular gap of a housing, as required by new claim 4.

As set forth in new claim 4, a circumferential lighting for an actuating button 6 is required, specifically, in that the actuating button 6 is surrounded by a lighted annular gap 8. This annular gap 8 is formed by a "housing" 1, as shown in FIG. 2 for example, and the inner circumference wall 5 of the annular gap 8 surrounds the actuating button 6 and the outer circumferential wall 2 of the annular gap 8 ends in "flush manner" with the "front panel" 4. Thus, a lighted annular gap 8 for circumferential lighting is formed around the actuating

button 6. Furthermore, a film 9 is provided above the annular gap 8, for the sake of design simplicity.

Kandler et al. is therefore missing not only a foil or film as recognized by the Examiner, but also the feature of circumferential lighting for an actuating button, i.e. a lighted annular gap around an actuating button as recited in new claim 4. Therefore it is respectfully submitted that *Kandler et al.* cannot show a person skilled in the art how a circumferential lighting for an actuator button can be formed in simple manner, specifically, because *Kandler et al.* does not permit any circumferential lighting for actuating buttons. See *Kandler et al.* at col. 6, lines 12-14: the gap between the walls 64 and 65 is covered with an "opaque" film 70 that is not permeable for light.

The defects and deficiencies of the primary reference to *Kandler et al.* are nowhere remedied by the secondary reference to *Pfeifer et al.* *Pfeifer et al.* shows a lighting for an actuating button 1. This lighting is made possible by a light guide 7 and a lighting means 14. In addition, this actuating button 1 is covered with a foil 11. Although *Pfeifer et al.* discloses a foil 11 for covering an actuating button 1, *Pfeifer et al.* teaches a

person skilled in the art to use a light guide 7 for lighting the actuating button 1; however, Applicants' invention as recited in new claim 4 specifically wants to avoid such light guides 7 for cost reasons as discussed, for example, at page 1 of the specification, as the use of light guide is comparatively expensive and complex from a constructional view point. Therefore, it is respectfully submitted that *Pfeifer et al.* cannot make obvious to a person skilled in the art the use of a lighted annular gap in *Kandler et al.*'s touch switch panel because *Pfeifer et al.* specifically suggests using a light guide 7 for lighting. Furthermore, the actuating button according to *Pfeifer et al.* has no circumferential lighting at all, but rather is lighted as an entirety.

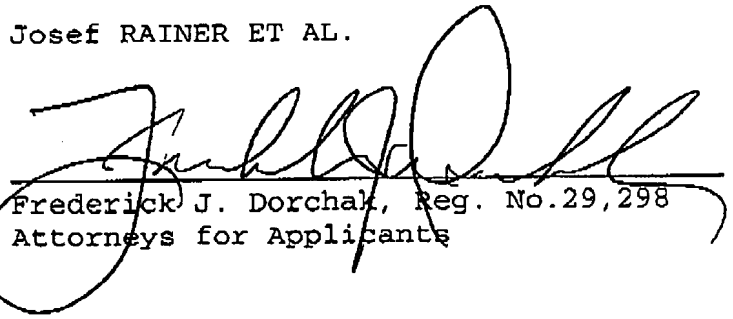
Therefore, it is respectfully submitted that Applicants' invention as recited in new claim 4 is neither disclosed nor suggested by *Kandler et al.* and *Pfeifer et al.*, whether taken alone or in combination. Accordingly, it is respectfully submitted that new claim 4 is patentable over the cited art as well as new claims 5 and 6, which are believed to be in condition for allowance.

In summary, claims 1-3 have been canceled, and new claims 4-6 have been added. The specification has also been amended. In

view of the foregoing, it is respectfully requested that the claims be allowed and that this case be passed to issue.

Respectfully submitted,

Josef RAINER ET AL.



COLLARD & ROE, P.C.
1077 Northern Boulevard
Roslyn, New York 11576
(516) 365-9802
FJD:djp

Frederick J. Dorchak, Reg. No.29,298
Attorneys for Applicants

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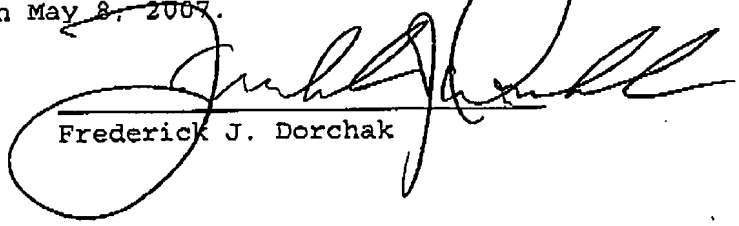

Frederick J. Dorchak